

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Thadius B. Nye

v.

Civil No. 13-cv-243-SM

N.H. State Prison, et al.

**ORDER GRANTING MOTION TO PROCEED**  
**IN FORMA PAUPERIS**

The plaintiff, an inmate at New Hampshire State Prison (“Institution”), has filed a motion to proceed *in forma pauperis* in the above-captioned case, which is accompanied by a certificate signed by an authorized individual from the Institution. The certificate evidences that for the five-month period preceding the filing,<sup>1</sup> the plaintiff’s average deposits have been \$16.25 and the plaintiff’s average monthly balance has been \$.24. Plaintiff has also submitted a signed consent form indicating consent to permit inmate accounts to make court-ordered payments on his behalf.

The motion to proceed *in forma pauperis* is GRANTED. While 28 U.S.C. § 1915(b)(1) requires the court assess an initial filing fee, given the plaintiff’s current balance there shall be no initial filing fee assessed. In addition, monthly payments of 20% of each preceding month’s income credited to the plaintiff’s account shall be remitted by the Institution when the amount in the account exceeds \$10.00 until the sum of \$350.00 has been paid. 28 U.S.C. § 1915(b)(2).

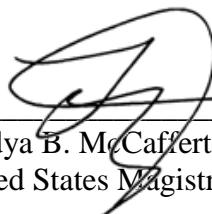
The monthly payments as outlined above, shall be forwarded to the Clerk of Court by the Institution in accordance with this Order. A copy of this Order, along with a copy of the signed

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<sup>1</sup> Plaintiff has only been an inmate at the New Hampshire State Prison since November 14, 2012.

Prisoner Consent Form (doc. no. 3), shall be forwarded by the Court to the Institutions inmate account department.

SO ORDERED.



Landya B. McCafferty  
United States Magistrate Judge

Dated: June 4, 2013

cc: Thadius B. Nye, pro se  
Inmate Accounts, New Hampshire State Prison